

REISSUE APPLICATION DECLARATION AND POWER OF ATTORNEY
(BY INVENTOR(S) OR ASSIGNEE)

(complete A or B)

A. ☒ DECLARATION BY THE INVENTOR(S)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is described and claimed in letters patent number 5,785,021, granted on 7/28/98, and for which invention I solicit a reissue patent on the invention entitled HYRAULICALLY ACTUATED ELECTRONIC FUEL INJECTION SYSTEM

the specification of which

- ☒ is attached hereto.
- ☐ was filed on _____, as reissue application number / and was amended on _____ (if applicable).
- ☐ I hereby declare that there is no assignee for this application.

NOTE: "Where no assignee exists, applicant should affirmatively state that fact. If the file record is silent as to the existence of an assignee, it will be presumed that no assignee exists." M.P.E.P., 6th ed., rev. 1, § 1410.01.

B. ☐ DECLARATION BY ASSIGNEE

NOTE: The assignee of the entire interest may make the declaration, if the reissue application does not seek to enlarge the scope of the claims of the original patent. 37 C.F.R. § 1.172.

_____, Title _____,
(type or print name of declarant)
of _____,
Name of company or legal entity on whose behalf declarant is authorized to sign
declare that I am a citizen of _____ and resident of _____,
_____, that the entire title to letters patent number _____,
for _____,
granted on _____, 19____ to _____ Inventor(s)
is vested in _____
Name of company or legal entity
that I believe said named inventor(s) to be an original, first and sole inventor (if only one name is listed) or an original, first and part inventor (if plural names are listed) of the subject matter that is described and claimed in the aforesaid letters patent and in the foregoing specification and for which invention I solicit a reissue patent.

unsigned papers

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR
(37 C.F.R. § 1.175)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

- ☒ In compliance with this duty, there is attached an information disclosure statement in accordance with 37 C.F.R. § 1.98.

PRIORITY CLAIM

NOTE: A "claim" for the benefit of an earlier filing date in a foreign country, under 35 U.S.C. 119(a)-(d) must be made in a reissue application even though such a claim was made in the application on which the original was granted. However, no additional certified copy of the foreign application is necessary. M.P.E.P., 6th ed., rev. 1, § 1417.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

(complete C or D)

- C. ☐ No such applications have been filed.
D. ☒ Such applications have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION**

Country	Application No.	Date of filing (day, month, year)	Date of issue (day, month, year)	Priority Claimed
PCT	AU95/00073	15/02/95		<input checked="" type="checkbox"/> YES NO <input type="checkbox"/>
AU	PM 3876	15/02/94		<input checked="" type="checkbox"/> YES NO <input type="checkbox"/>
AU	PN 0176	21/12/94		<input checked="" type="checkbox"/> YES NO <input type="checkbox"/>

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION**

BENEFIT OF PROVISIONAL APPLICATION

**STATEMENT OF INOPERATIVENESS
OR INVALIDITY OF ORIGINAL PATENT**

(37 C.F.R. § 1.175)

That I believe the original patent to be

- ☒ partly
☐ wholly

inoperative or invalid by reason of (37 C.F.R. § 1.175(a)(1)):

(check all items that may apply)

- ☐ a defective specification
☐ a defective drawing
☒ the patentee claiming more or less than the patentee had a right to claim in the patent.

NOTE: At least one error must be relied upon as the basis for the reissue. 37 C.F.R. § 1.175(a)(1).

That the error listed above, which are being corrected, up to the time of the filing of this reissue declaration arose without any deceptive intention on the part of the applicant. (37 C.F.R. § 1.175(a)(2)).

NOTE: For any error corrected not covered by this declaration applicant must submit, before allowance, a supplemental declaration stating that every such error arose without any deceptive intention on the part of the applicant. 37 C.F.R. § 1.175(b)(1).

- ☐ Corroborating affidavits or declarations of others accompany this declaration.

POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

(list name and registration number)

(check the following item, if applicable)

- ☒ I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.
- ☐ Attached, as part of this declaration and power of attorney, is the authorization of the above-named practitioner(s) to accept and follow instructions from my representative(s).

SEND CORRESPONDENCE TO**DIRECT TELEPHONE CALLS TO:**
(Name and telephone number)

- ☒ Address

248-647-6000

Douglas W. Sprinkle
Gifford, Krass, Groh, Sprinkle
Anderson & Citkowski, P.C.
280 N. Old Woodward, Suite 400
Birmingham, MI 48009

- ☒ Customer Number 25006

(Reissue Application Declaration and Power of Attorney [17-6]—page 4 of 6)

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature(s)

☒ **BY THE INVENTOR(S)**

Full name of sole or first inventor Sergi Yudanov

Inventor's signature X

Date X Country of Citizenship Australia

Residence _____

Post Office Address _____

Full name of second joint inventor, if any William Richard Mitchell

Inventor's signature X

Date X Country of Citizenship Australia

Residence _____

Post Office Address _____

☐ **BY ASSIGNEE OR PERSON AUTHORIZED TO SIGN ON BEHALF OF ASSIGNEE**

NOTE: Even though inventor(s) do not sign, complete above information for inventor(s).

(complete the following, if applicable)

(type name of assignee)

Address of assignee

Title of person authorized to sign on behalf of assignee

☐ Assignment recorded in PTO on _____

Reel _____

Frame _____

☐ A separate ☐ "ASSIGNMENT (DOCUMENT) COVER SHEET"
or ☐ FORM PTO 1595 is submitted herewith along with the assign-
ment _____

STATEMENT BY ASSIGNEE

- ☒ Attached is a "STATEMENT UNDER 37 C.F.R. 3.73(b)," establishing the right of the assignee to take action in this reissue.

INVENT ENGINEERING PTY. LTD.

X _____
Signature of assignee or person authorized to
sign on behalf of assignee

(check proper box(es) for any added page(s) forming a part of this declaration)

- ☐ Signature for third and subsequent joint inventors. Number of pages added. _____
- ☐ Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added. _____
- ☐ Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 C.F.R. § 1.47. Number of pages added. _____
- ☒ Statement of Inoperativeness or Invalidity of original patent. 37 C.F.R. § 1.175. Number of pages added 1.
- ☐ Authorization of attorney(s) to accept and follow instructions from representative.
- ☐ Corroborating statements of others.

(Reissue Application Declaration and Power of Attorney [17-6]—page 6 of 6)

STATEMENT BY ASSIGNEE

- ☒ Attached is a "STATEMENT UNDER 37 C.F.R. 3.73(b)," establishing the right of the assignee to take action in this reissue.

X SERGI YUDANOV

Signature of assignee or person authorized to
sign on behalf of assignee

(check proper box(es) for any added page(s) forming a part of this declaration)

- ☐ Signature for third and subsequent joint inventors. Number of pages added. _____
- ☐ Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added. _____
- ☐ Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 C.F.R. § 1.47. Number of pages added. _____
- ☐ Statement of inoperativeness or invalidity of original patent. 37 C.F.R. § 1.175. Number of pages added _____
- ☐ Authorization of attorney(s) to accept and follow instructions from representative.
- ☐ Corroborating statements of others.

(Reissue Application Declaration and Power of Attorney [17-6]—page 6 of 6)

**REISSUE APPLICATION DECLARATION AND POWER OF ATTORNEY
(BY INVENTOR(S) OR ASSIGNEE)**

ADDED PAGE

As the below named inventor, I hereby declare: my residence, post office address and citizenship are as stated below next to my name; and I believe I am the original, first and sole inventor of the invention which is described and claimed in U.S. Patent 5,785,021 entitled HYDRAULICALLY ACTUATED ELECTRONIC FUEL INJECTION SYSTEM that issued July 28, 1998, and in the reissue application thereof the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I believe that my original patent is partly inoperative or invalid for the reason that I claimed less than I had a right to claim in the patent.

Specifically, the patent was based upon Application No. PCT/AU95/00073. That PCT Application, as originally filed with the U.S. Patent and Trademark Office included 14 claims. However, Claim 14, a method claim, appears to have never been considered by the patent office. Furthermore, on November 12, 1996 a Supplemental Preliminary Amendment was filed that added new Claims 19-21. Those claims were subsequently allowed and renumber Claims 16-18 but were not printed as part of the patent. The amended Claim 14 and unpublished Claims 16-18 have been added to the present application as Claims 16-19.

Claim 3 has been amended to delete the multiple dependencies that should have been originally removed as a result of the Supplemental Preliminary Amendment filed November 12, 1996. Initially, Claims 5 and 11 have been amended to more clearly disclose and claim the invention.

I further declare that the aforementioned error occurred without any deceptive intention on my part and that all statements made herein of my own knowledge are true and that the statements are made with the knowledge that willful false statements and the like so made are punishable by fine, imprisonment or both under Section 1001 under Title 18 of the United States Code and such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Therefore, I pray that I be allowed and I hereby offer to surrender the original United States Letters Patent No. 5,785,021 for HYDRAULICALLY ACTUATED ELECTRONIC FUEL INJECTION SYSTEM and that the Letters Patent may be reissued to claim and protect all that I was entitled to claim.

(Reissue Application Declaration and Power of Attorney [17-6] _____ Added page _____)

Practitioner's Docket No. DCC-10003/04**PATENT****ASSENT BY ASSIGNEE FOR FILING OF REISSUE APPLICATION**

NOTE: The written assent of all assignees, if any, owning an undivided interest in the original patent must be included in the application for reissue. 37 C.F.R. 1.172(a).

This is part of the application for a reissue patent filed herewith based on the original patent identified as follows:

Sergi Yudanov and William Richard Mitchell
Name of Patentee

5,785,021
Patent Number

7/28/98
Date Patent Issued

Hydraulically Actuated Electronic Fuel Injection System
Title of Invention

I am an assignee owning

- ☐ an undivided interest to the above original patent.
☒ a 50 % (per cent) interest in the above original patent.

I assent to the accompanying application for reissue.

Invent Engineering Pty Ltd
Name of assignee

X _____
Signature of person signing for assignee

X Date: _____

X _____
(type or print name and title of person signing for assignee)

Practitioner's Docket No. DCC-10003/04**PATENT****ASSENT BY ASSIGNEE FOR FILING OF REISSUE APPLICATION**

NOTE: The written assent of all assignees, if any, owning an undivided interest in the original patent must be included in the application for reissue. 37 C.F.R. 1.172(a).

This is part of the application for a reissue patent filed herewith based on the original patent identified as follows:

Sergi Yudanov and William Richard Mitchell

Name of Patentee

5,785,021

Patent Number

7/28/98

Date Patent Issued

Hydraulically Actuated Electronic Fuel Injection System

Title of Invention

I am an assignee owning

☐ an undivided interest to the above original patent.

☒ a 50 % (per cent) interest in the above original patent.

I assent to the accompanying application for reissue.

Sergi Yudanov

Name of assignee

X _____
Signature of person signing for assignee

X Date: _____

Sergi Yudanov

(type or print name and title of person signing for assignee)